IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 18942 of 2004

Between:

M.Satya Sundara Rao, s/o V.R.Murthy,
r/o Plot No.C-51, Santhi Nilayam, Dayal Nagar, Visalakshinagar,
Visakhapatnam.

..... PETITIONER

AND

1 The Chief Executive Officer, Zilla Parishad,

Visakhapatnam District, Visakhapatnam.
2 District Educational Officer,

Visakhapatnam District, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, particularly a writ in the nature of mandamus, declaring the action of the respondents herein in not furnishing the proceedings Rc.No.31/A/DYEO/VSP/2003, dt.10-12-2003, in spite of representations dt.12-7-2004 and Telegraphic Notice dt.15-9-2004 as illegal, arbitrary and unconstitutional and further direct the 2nd respondent herein to furnish the copy of the proceedings RC.No.31/A/DYEO/VSP/2003, dt.10-12-2003 immediately.

Counsel for the Petitioner :MR.N.SRIDHAR REDDY

Counsel for the Respondents: GP FOR EDUCATION

The Court at the stage of admission made the following :

ORDER:

The petitioner is a retired head master. His grievance was that his juniors were

getting more salary than what he was getting by the date of his retirement on 31-01-2000. Therefore, he requested the respondent to rectify the anomaly to fix his pay on par with his juniors and to pay the arrears of the salary after rectifying the anomaly. The petitioner contends that the respondent did not rectify the anomaly. Therefore, he filed O.A.4273 of 2003 before the A.P. Administrative Tribunal on 04-07-2003 and the said O.A. was disposed of by the A.P. Administrative Tribunal to consider the representation of the petitioner and to pass appropriate orders. Since the respondent did not pass any orders on the direction of the A.P. Administrative Tribunal, he filed Contempt Application No.987 of 2003 before the A.P. Administrative Tribunal and during the pendency of the said application, the respondent filed a letter before the A.P. Administrative Tribunal mentioning that the order has been implemented. Accordingly, the A.P. Administrative Tribunal observed as follows by closing the Contempt
Application:

> "The learned Government Pleader produced a copy of the proceedings of the D.E.O., Visakhapatnam in R.C.No.31/A/DYEO/VSP/2003 dated 10-12-2003 through which speaking orders were issued on the request of the applicant."

The petitioner contends that though it was mentioned before the A.P. Administrative Tribunal that the order was implemented, a copy of the proceedings alleged to be issued by the respondent was not served on the petitioner. Therefore, he made a representation on 12-07-2004 requesting to furnish a copy of the proceedings. But the respondents did not furnish the copy of the same. Therefore, he approached this Court seeking a direction to the respondents to furnish him a copy of the proceedings dated 10-12-2003.

In the light of the circumstances explained by the petitioner, the respondents are directed to furnish a copy of the proceedings in R.C.No.31/A/DYEO/VSP/2003 dated 10-12-2003 within one week from the date of receipt of a copy of this Order by obtaining due acknowledgment from the petitioner.

The Writ Petition is accordingly disposed of.

Dr.G.Yethirajulu, J.

Dt:14th October, 2004.

Rns.

To

1 The Chief Executive Officer, Zilla Parishad,

Visakhapatnam District, Visakhapatnam.

2 District Educational Officer,

Visakhapatnam District, Visakhapatnam.

3 Two CCs to G.P. for Education, High Court of A.P.,

Hyderabad.(OUT),

4 Two CD copies.